



OK 1-29-09

STATE OF WASHINGTON
DEPARTMENT OF AGRICULTURE

PO Box 42560 • Olympia, Washington 98504-2560 • <http://agr.wa.gov> • (360) 902-1800

October 27, 2008

Document Processing Desk SLN
Office of Pesticide Programs - 7504 P
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

RE: EPA SLN Reg. No. WA-030023

Enclosed is the Washington Special Local Need (SLN) registration number WA-030023 issued to Bayer CropScience LP for use of Axiom DF Herbicide (EPA Reg. No. 264-766) to control rattail fescue, other grasses, and suppression of certain small broadleaf weeds in Douglas fir and true fir Christmas trees. This registration was issued under the authority of Section 24(c) of FIFRA.

WSDA's Container Disposal Guidance was updated and the expiration date was revised to December 31, 2012.

If you have any questions, please contact this office at (360) 902-2049 or by e-mail at sfoss@agr.wa.gov.

Sincerely,

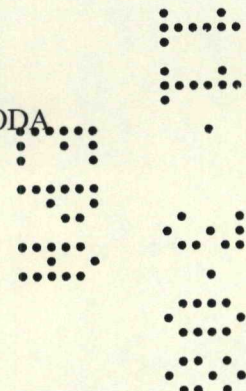
PESTICIDE MANAGEMENT DIVISION

Steve L. Foss
Biopesticide Specialist/Ecommerce Business Coordinator, Registration Services

SLF:jh
Enclosure

cc: Linda Aschbrenner, Bayer CropScience
Doug Walsh, WSU

Jane Thomas, WSU
Rose Kachadoorian, ODA





Bayer CropScience

Bayer CropScience LP
P.O. Box 12014
2 T.W. Alexander Drive
Research Triangle Park, North Carolina 27709
1-866-99BAYER (1-866-992-2937)
<http://www.bayercropscienceus.com>

Axiom® DF Herbicide

For Use on Christmas Trees

(Douglas Fir and True Fir) to Control Weeds.

EPA Reg. No. 264-766

EPA SLN. No. WA-030023

**24(c) Supplemental
Label**

FOR DISTRIBUTION AND USE ONLY WITHIN THE STATE OF WASHINGTON

STOP – READ THE LABEL BEFORE USE.

Axiom DF Herbicide contains flufenacet (54.4%) and metribuzin (13.6%). Metribuzin is a state restricted use pesticide for the protection of groundwater and is to be distributed only by licensed pesticide dealers. Only certified applicators or persons under the direct supervision of a certified applicator may use or apply Axiom® DF Herbicide.

This label for Axiom® DF Herbicide expires and must not be distributed or used in accordance with this SLN registration after December 31, 2012.

DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling. This label must be in the possession of the user at the time of pesticide application. Follow all applicable directions, restrictions, Worker Protection Standard requirements, and precautions on the EPA registered label.

Do not apply this product in a way that will contact workers or other persons, either directly or through drift. Only protected handlers may be in the area during application. For any requirements specific to your State or Tribe, consult the agency responsible for pesticide regulation.

ENVIRONMENTAL HAZARDS

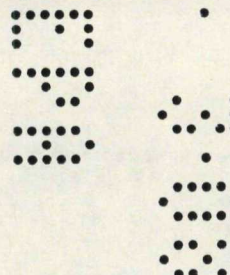
Do not apply directly to water, or to areas where surface water is present or to intertidal areas below the mean high water mark. Do not apply when weather conditions favor drift from areas treated. Do not contaminate water when disposing of equipment washwaters.

Do not allow sprays to drift onto adjacent desirable plants.

Metribuzin has properties that may result in ground water contamination. Application in areas where soils are permeable or coarse and groundwater is near the surface could result in groundwater contamination.

Ground Water: Flufenacet is known to leach through soil into ground water under certain conditions as a result of label use. Use of this chemical in areas where soils are permeable, particularly where the water table is shallow, may result in ground-water contamination.

Surface Water: Flufenacet and metribuzin residues can contaminate surface water through spray drift. Under some conditions, they also have high potential for runoff into surface water (primarily via dissolution in runoff water or erosion), for several to many months post-application. These include poorly draining or wet soils with readily visible slopes toward adjacent surface waters, frequently flooded areas, areas overlying extremely shallow ground water, areas with in-field canals or ditches that drain to surface water, areas not separated from adjacent surface waters with vegetated filter strips, and areas overlying tile drainage systems that drain to surface waters.



Christmas Trees	Rate oz/A	Weeds
Douglas Fir True Fir (including Noble, Grand, Frazier, Nordman)	12 – 20	Controlled: Annual Bluegrass, Fall panicum ¹ , Rattail fescue Suppressed: <i>Bromus sp.</i> , Lambsquarter, Pigweeds ¹ Applied pre-plant/pre-emergent
REMARKS: Apply the specified dosage per acre as a pre or very early post-emergent (1-leaf stage) application to weeds. Use the higher rate for heavier weed populations or where longer control is needed. Treat only dormant trees (prior to bud swell) which have gone through one or more growing seasons. Apply in a minimum of 10 gallons of water per acre by ground or air. Axiom® may be applied only one time per growing season. Allow at least 11 months between applications.		

SPECIAL PRECAUTIONS:

- Do not apply to trees that are under stress (drought, insects, disease).
- For use under this SLN label, do not apply this product through any type of irrigation system.
- For improved control of emerged weeds, and/or control of additional weed species, a tank-mix application with another registered herbicide may be used. Consult tank-mix partner label for use directions and precautions.

CONTAINER DISPOSAL GUIDANCE: WSDA Container Disposal Guidance: Pesticide containers must be properly cleaned prior to disposal. The best time to clean empty pesticide containers is during mixing and loading, because residue can be difficult to remove after it dries. Triple rinse (or pressure rinse) the pesticide container, empty all pesticide rinse water into the spray tank, and apply to a labeled crop or site. Recycling cleaned containers is the best method of container disposal. Information regarding the recycling of empty and cleaned plastic pesticide containers in Washington is available on the WSDA Waste Pesticide Program web site at <http://agr.wa.gov/PestFert/Pesticides/WastePesticide.htm>. Cleaned containers may also be disposed of in a sanitary landfill, if permitted by the county. Burning is not a legal method of container disposal in Washington.

••••• For **MEDICAL** And **TRANSPORTATION** Emergencies **ONLY** Call 24 Hours A Day 1-800-334-7577

••••• For **PRODUCT USE** Information Call 1-866-99BAYER (1-866-992-2937)
or

Visit our worldwide web site at www.bayercropscienceus.com

Axiom is a registered trademark of Bayer.

7/15/03

Replaced WAD20011

→ same use, appl
rate, timing.

OK.

PRODUCT INFORMATION

TRI AG, INC.

**REGISTRATION FOR SPECIAL LOCAL NEED
FOR DISTRIBUTION AND USE ONLY WITHIN THE STATE OF WASHINGTON**

RO-NEET[®] 6-E

EPA Reg. No. 73637-5

EPA SLN No. WA-010023

DIRECTIONS FOR USE

- It is a violation of Federal law to use this product in a manner inconsistent with its labeling.
- This labeling must be in the possession of the user at the time of application.
- Follow all applicable directions, restrictions, Worker Protection Standard requirements, and precautions on the EPA-registered label.

SUGAR BEETS: Postemergence (After The First True Leaves Have Formed) - After thinning and clean cultivation apply ½ gallon of RO-NEET 6-E (3 lbs. ai) in a minimum of 10 gallons of water per acre and incorporate to a depth of 2 to 3 inches. Apply as a surface broadcast application with ground application equipment.

or

Apply ½ gallon of RO-NEET 6-E (3 lbs. ai) in a minimum of 10 gallons of water per acre and sprinkler incorporate to a depth of 3 to 4 inches. Apply as a surface broadcast application with ground application equipment.

Incorporation must occur immediately after application. For a list of weeds controlled refer to the EPA-registered RO-NEET 6-E label.

AGRICULTURAL USE REQUIREMENTS

Use this product only in accordance with its labeling and with the Worker Protection Standard, 40 CFR part 170. This Standard contains requirements for the protection of agricultural workers on farms, forests, nurseries, and greenhouses, and handlers of agricultural pesticides. It contains requirements for training, decontamination, notification, and emergency assistance. It also contains specific instructions and exceptions pertaining to the statements on this label about personal protective equipment (PPE) and restricted-entry interval (REI). The requirements in this box only apply to uses of this product that are covered by the Worker Protection Standard.

Entry (including early entry that would otherwise be permitted under the WPS) by any person other than a correctly trained and equipped handler who is performing a handling task permitted by the WPS - is PROHIBITED for 48 hours following applications. Do not allow entry by unprotected persons into the treated area until 48-hour period is expired and the warning signs are removed.

NOTIFICATION: Before the start of the application, notify workers of the application by warning them orally and by posting warning signs at entrances to the treated area. The signs must bear the skull and crossbones symbol and state: (1) "DANGER/PELIGRO", (2) "DO NOT ENTER/NO ENTREE", (3) the date and time of treatment, (4) "RO-NEET 6-E in use", and (5) name, address, and telephone number of the applicator. Post the warning sign instead of the WPS sign for this application, but follow all WPS requirements pertaining to location, legibility, size, and timing of posting and removal.

Special Early Entry Exception: Workers may enter the treated area during the first 48 hours following application to plant crops, provided all of the following conditions are met:

(1) The special early entry workers must use motorized ground equipment that is equipped with an enclosed cab that meets the definition in the Worker Protection Standard for Agricultural Pesticides [40 CFR 170.240(d)(5) for dermal protection. In addition, these workers must:

- Wear the personal protective equipment required in the PPE section of this labeling for applicators,
- *Either* wear the type of respirator specified in the PPE section of this labeling or use an enclosed cab with a properly functioning ventilation system that is used and maintained according to the manufacturer's written operating instructions and that is declared in writing by the manufacturer or by a government agency to provide at least as much respiratory protection as the type of respirator specified in the PPE section of this labeling.
- Be provided and have immediately available for use in an emergency when they must exit the cab in the treated area: chemical-resistant gloves, and, if using an enclosed cab that provides respiratory protection, a respirator of the type specified in the PPE section of this labeling,
- Take off any PPE that was worn in the treated area before reentering the cab, and
- Store all such PPE in a chemical-resistant container, such as a plastic bag, to prevent contamination of the inside of the cab.

(2) Employers of the special early entry workers must make sure that these workers:

- Have received training equivalent to WPS pesticide handler training before entering the treated area,
- Are provided with the specified type of respirator, and the respirator fits them correctly and is maintained as required in the WPS for handlers,
- Are provided all of the WPS protections for early entry workers, including PPE instructions, labeling information and instructions, decontamination sites, and duties related to providing, cleaning, and maintaining the PPE for early-entry workers.

RESTRICTIONS / PRECAUTIONS:

- Make only one (1) application per growing season.
- Do not apply after July 1.
- Do not tank-mix with Betamix.
- For use under this SLN label do not apply this product through any type of irrigation system.

WSDA CONTAINER DISPOSAL GUIDANCE:

Pesticide containers must be properly cleaned prior to disposal. The best time to clean empty pesticide containers is during mixing and loading, because residue can be difficult to remove after it dries. Triple rinse (or pressure rinse) the pesticide container, empty all pesticide rinse water into the spray tank, and apply to a labeled crop or site. Recycling cleaned containers is the best method of container disposal. Information regarding the recycling of empty and cleaned plastic pesticide containers in Washington is available on the WSDA Waste Pesticide Program web site at <http://agr.wa.gov/PestFert/Pesticides/WastePesticide.htm>. Cleaned containers may also be disposed of in a sanitary landfill, if permitted by the county. Burning is not a legal method of container disposal in Washington.

This label for RO-NEET 6-E expires and must not be distributed or used in accordance with this SLN registration after December 31, 2013.

RO-NEET 6-E is a trademark of Helm Agro US, Inc.

EPA SLN NO: WA-010023

24(c) Registrant:

TRI AG, INC.

c/o Helm Agro US, Inc. / Agent

8295 Tournament Drive, Suite 310

Memphis, Tennessee 38125

EPA approved on June 12, 2008

PRODUCT INFORMATION

HELM AGRO US, INC.

REGISTRATION FOR SPECIAL LOCAL NEED FOR DISTRIBUTION AND USE ONLY WITHIN THE STATE OF WASHINGTON

RO-NEET[®] 6-E

EPA Reg. No. 73637-5-74530

EPA SLN No. WA-010023c

DIRECTIONS FOR USE

- It is a violation of Federal law to use this product in a manner inconsistent with its labeling.
- This labeling must be in the possession of the user at the time of application.
- Follow all applicable directions, restrictions, Worker Protection Standard requirements, and precautions on the EPA-registered label.

SUGAR BEETS: Postemergence (After The First True Leaves Have Formed) - After thinning and clean cultivation apply ½ gallon of RO-NEET 6-E (3 lbs. ai) in a minimum of 10 gallons of water per acre and incorporate to a depth of 2 to 3 inches. Apply as a surface broadcast application with ground application equipment.

or

Apply ½ gallon of RO-NEET 6-E (3 lbs. ai) in a minimum of 10 gallons of water per acre and sprinkler incorporate to a depth of 3 to 4 inches. Apply as a surface broadcast application with ground application equipment.

Incorporation must occur immediately after application. For a list of weeds controlled refer to the EPA-registered RO-NEET 6-E label.

AGRICULTURAL USE REQUIREMENTS

Use this product only in accordance with its labeling and with the Worker Protection Standard, 40 CFR part 170. This Standard contains requirements for the protection of agricultural workers on farms, forests, nurseries, and greenhouses, and handlers of agricultural pesticides. It contains requirements for training, decontamination, notification, and emergency assistance. It also contains specific instructions and exceptions pertaining to the statements on this label about personal protective equipment (PPE) and restricted-entry interval (REI). The requirements in this box only apply to uses of this product that are covered by the Worker Protection Standard.

Entry (including early entry that would otherwise be permitted under the WPS) by any person other than a correctly trained and equipped handler who is performing a handling task permitted by the WPS - is PROHIBITED for 48 hours following applications. Do not allow entry by unprotected persons into the treated area until 48-hour period is expired and the warning signs are removed.

NOTIFICATION: Before the start of the application, notify workers of the application by warning them orally and by posting warning signs at entrances to the treated area. The signs must bear the skull and crossbones symbol and state: (1) "DANGER/PELIGRO", (2) "DO NOT ENTER/NO ENTRE", (3) the date and time of treatment, (4) "RO-NEET 6-E in use", and (5) name, address, and telephone number of the applicator. Post the warning sign instead of the WPS sign for this application, but follow all WPS requirements pertaining to location, legibility, size, and timing of posting and removal.

Special Early Entry Exception: Workers may enter the treated area during the first 48 hours following application to plant crops, provided all of the following conditions are met:

(1) The special early entry workers must use motorized ground equipment that is equipped with an enclosed cab that meets the definition in the Worker Protection Standard for Agricultural Pesticides [40 CFR 170.240(d)(5) for dermal protection. In addition, these workers must:

- Wear the personal protective equipment required in the PPE section of this labeling for applicators,
- *Either* wear the type of respirator specified in the PPE section of this labeling or use an enclosed cab with a properly functioning ventilation system that is used and maintained according to the manufacturer's written operating instructions and that is declared in writing by the manufacturer or by a government agency to provide at least as much respiratory protection as the type of respirator specified in the PPE section of this labeling.
- Be provided and have immediately available for use in an emergency when they must exit the cab in the treated area: chemical-resistant gloves, and, if using an enclosed cab that provides respiratory protection, a respirator of the type specified in the PPE section of this labeling,
- Take off any PPE that was worn in the treated area before reentering the cab, and
- Store all such PPE in a chemical-resistant container, such as a plastic bag, to prevent contamination of the inside of the cab.

(2) Employers of the special early entry workers must make sure that these workers:

- Have received training equivalent to WPS pesticide handler training before entering the treated area,
- Are provided with the specified type of respirator, and the respirator fits them correctly and is maintained as required in the WPS for handlers,
- Are provided all of the WPS protections for early entry workers, including PPE instructions, labeling information and instructions, decontamination sites, and duties related to providing, cleaning, and maintaining the PPE for early-entry workers.

RESTRICTIONS / PRECAUTIONS:

- Make only one (1) application per growing season.
- Do not apply after July 1.
- Do not tank-mix with Betamix.
- For use under this SLN label do not apply this product through any type of irrigation system.

WSDA CONTAINER DISPOSAL GUIDANCE:

Pesticide containers must be properly cleaned prior to disposal. The best time to clean empty pesticide containers is during mixing and loading, because residue can be difficult to remove after it dries. Triple rinse (or pressure rinse) the pesticide container, empty all pesticide rinse water into the spray tank, and apply to a labeled crop or site. Recycling cleaned containers is the best method of container disposal. Information regarding the recycling of empty and cleaned plastic pesticide containers in Washington is available on the WSDA Waste Pesticide Program web site at <http://agr.wa.gov/PestFert/Pesticides/WastePesticide.htm>. Cleaned containers may also be disposed of in a sanitary landfill, if permitted by the county. Burning is not a legal method of container disposal in Washington.

This label for RO-NEET 6-E expires and must not be distributed or used in accordance with this SLN registration after December 31, 2013.

RO-NEET 6-E is a trademark of Helm Agro US, Inc.

EPA SLN NO: WA-010023c

24(c) Registrant:

TRL AG, INC.

c/o Helm Agro US, Inc. / Agent
8295 Tournament Drive, Suite 310
Memphis, Tennessee 38125

EPA approved on June 12, 2008



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

6-12-68

Tri-Ag, Inc.
375 Park Avenue, 11th Floor
New York, NY 10152

Subject: EPA SLN No. WA010023 / Reregistration

The amended label is in compliance with the Cycloate RED provided you make the following changes:

1. Per the RED, the reentry section must be revised to read as specified below.

"Entry (including early entry that would otherwise be permitted under the WPS) by any person -- other than a correctly trained and equipped handler who is performing a handling task permitted by the WPS -- is PROHIBITED for 48 hours following application. Do not allow entry by unprotected persons into the treated area until 48-hour period is expired and the warning signs are removed."

"NOTIFICATION: Before the start of the application, notify workers of the application by warning them orally and by posting warning signs at entrances to the treated area. The signs must bear the skull and crossbones symbol and state: (1) "DANGER/PELIGRO," (2) "DO NOT ENTER/NO ENTRE," (3) the date and time of treatment, (4) "Cycloate {or use other brand name} in use," and (5) name, address, and telephone number of the applicator. Post the warning sign instead of the WPS sign for this application, but follow all WPS requirements pertaining to location, legibility, size, and timing of posting and removal."

"Special Early Entry Exception: Workers may enter the treated area during the first 48 hours following application to plant crops, provided all of the following conditions are met:

(1) The special early entry workers must use motorized ground equipment that is equipped with an enclosed cab that meets the definition in the Worker Protection Standard for Agricultural Pesticides [40 CFR 170.240(d)(5)] for dermal protection. In addition, these workers must:

– Wear the personal protective equipment required in the PPE section of this labeling for applicators,

– *Either* wear the type of respirator specified in the PPE section of this labeling *or* use an enclosed cab with a properly functioning ventilation system that is used and maintained according to the manufacturer's written operating instructions and that is declared in writing by the manufacturer or by a government agency to provide at least as much respiratory protection as the type of respirator specified in the PPE section of this labeling,

- Be provided and have immediately available for use in an emergency when they must exit the cab in the treated area: chemical-resistant gloves, and, if using an enclosed cab that provides respiratory protection, a respirator of the type specified in the PPE section of this labeling,
- Take off any PPE that was worn in the treated area before reentering the cab, and
- Store all such PPE in a chemical-resistant container, such as a plastic bag, to prevent contamination of the inside of the cab.

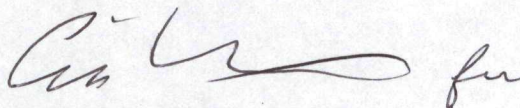
(2) Employers of the special early entry workers must make sure that these workers:

- Have received training equivalent to WPS pesticide handler training before entering the treated area,
- Are provided with the specified type of respirator, and the respirator fits them correctly and is maintained as required in the WPS for handlers, and
- Are provided all of the WPS protections for early entry workers, including PPE instructions, labeling information and instructions, decontamination sites, and duties related to providing, cleaning, and maintaining the PPE for early-entry workers.”

2. Add “to the extent consistent with applicable law” in front of “in no event” and “the exclusive remedy”.

If you have any questions please contact Erik Kraft at 703-308-9358 or Kraft.Erik@epa.gov.

Sincerely,

A handwritten signature in dark ink, appearing to read "Jim Tompkins", followed by a stylized flourish.

Jim Tompkins
Product Manager 25
Herbicide Branch
Registration Division (7505P)

TRI AG, INC.

**REGISTRATION FOR SPECIAL LOCAL NEED
FOR DISTRIBUTION AND USE ONLY WITHIN THE STATE OF WASHINGTON**

RO-NEET® 6-E

EPA Reg. No. 73637-5

EPA SLN No. WA-010023

DIRECTIONS FOR USE

- It is a violation of Federal law to use this product in a manner inconsistent with its labeling.
- This labeling must be in the possession of the user at the time of application.
- Follow all applicable directions, restrictions, Worker Protection Standard requirements, and precautions on the EPA-registered label.

SUGAR BEETS: Postemergence (After The First True Leaves Have Formed) - After thinning and clean cultivation apply ½ gallon of RO-NEET 6-E (3 lbs. ai) in a minimum of 10 gallons of water per acre and incorporate to a depth of 2 to 3 inches. Apply as a surface broadcast application with ground application equipment.

or

Apply ½ gallon of RO-NEET 6-E (3 lbs. ai) in a minimum of 10 gallons of water per acre and sprinkler incorporate to a depth of 3 to 4 inches. Apply as a surface broadcast application with ground application equipment.

Incorporation must occur immediately after application. For a list of weeds controlled refer to the EPA-registered RO-NEET 6-E label.

RESTRICTIONS / PRECATUIONS:

- The restricted entry interval (REI) for RO-NEET 6-E is 48 hours. Do not allow entry by unprotected persons into the treated area during the REI.
- Make only one (1) application per growing season.
- Do not apply after July 1.
- Do not tank-mix with Betamix.
- For use under this SLN label do not apply this product through any type of irrigation system.

WSDA CONTAINER DISPOSAL GUIDANCE:

Pesticide containers must be properly cleaned prior to disposal. The best time to clean empty pesticide containers is during mixing and loading, because residue can be difficult to remove after it dries. Triple rinse (or pressure rinse) the pesticide container, empty all pesticide rinse water into the spray tank, and apply to a labeled crop or site. Recycling cleaned containers is the best method of container disposal. Information regarding the recycling of empty and cleaned plastic pesticide containers in Washington is available on the WSDA Waste Pesticide Program web site at <http://agr.wa.gov/PestFert/Pesticides/WastePesticide.htm>. Cleaned containers may also be disposed of in a sanitary landfill, if permitted by the county. Burning is not a legal method of container disposal in Washington.

This label for RO-NEET 6-E expires ~~and must not be distributed~~ or used in accordance with this SLN registration after December 31, 2013.

**CONDITIONS OF SALE
AND LIMITATION OF WARRANTY AND LIABILITY**

NOTICE: Read the entire Directions for Use and Conditions of Sale and Limitation of Warranty and Liability before buying or using this product. If the terms are not acceptable, return the product at once, unopened, and the purchase price will be refunded.

The Directions for Use of this product should be followed carefully. It is impossible to eliminate all risks inherently associated with the use of this product. Crop injury, ineffectiveness or other unintended consequences may result because of such factors as manner of use or application, weather or crop conditions, presence of other materials or other influencing factors in the use of the product, which are beyond the control of TRI AG or Seller. All such risks shall be assumed by Buyer and User, and Buyer and User agree to hold TRI AG and Seller harmless for any claims relating to such factors.

TRI AG warrants that this product conforms to the chemical description on the label and is reasonably fit for the purposes stated in the Directions for Use, subject to the inherent risks referred to above, when used in accordance with directions under normal use conditions. This warranty does not extend to the use of this product contrary to label instructions, or under abnormal conditions or under conditions not reasonably foreseeable to or beyond the control of Seller or TRI AG, and Buyer and User assume the risk of any such use. TRI AG MAKES NO WARRANTIES OF MERCHANTABILITY OR OF FITNESS FOR A PARTICULAR PURPOSE NOR ANY OTHER EXPRESS OR IMPLIED WARRANTY EXCEPT AS STATED ABOVE.

In no event shall TRI AG or Seller be liable for any incidental, consequential or special damages resulting from the use or handling of this product. THE EXCLUSIVE REMEDY OF THE USER OR BUYER, AND THE EXCLUSIVE LIABILITY OF TRI AG AND SELLER FOR ANY AND ALL CLAIMS, LOSSES, INJURIES OR DAMAGES (INCLUDING CLAIMS BASED ON BREACH OF WARRANTY, CONTRACT, NEGLIGENCE, TORT, STRICT LIABILITY OR OTHERWISE) RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT, SHALL BE THE RETURN OF THE PURCHASE PRICE OF THE PRODUCT OR, AT THE ELECTION OF TRI AG OR SELLER, THE REPLACEMENT OF THE PRODUCT.

TRI AG and Seller offer this product, and Buyer and User accept it, subject to the foregoing conditions of sale and limitations of warranty and of liability, which may not be modified except by written agreement signed by a duly authorized representative of TRI AG.

RO-NEET 6-E is a trademark of Helm Agro US, Inc.

24(c) Registrant:

TRI AG, INC.

c/o Helm Agro US, Inc. / Agent

8295 Tournament Drive, Suite 310

Memphis, Tennessee 38125

EPA SLN NO: WA-010023

Label Rev. 02/28/08



PRODUCT REREGISTRATION
SUPPORTING DOCUMENTATION
FOR

Case Name: Cycloate

Reg. No. SLN WA - 010023

This supporting documentation (in chronological order) includes:

- Old labels (identified as "Superseded by label dated xxxxxx")
- Unacceptable CSFs (marked "Not Acceptable" and dated)
- Product chemistry reviews
- Acute Toxicity reviews
- Efficacy reviews (if necessary)
- 90-day responses to PDCI (Form A and Form B)
- Administrative forms (Application for Reregistration, Certification to Data Citation, Data Matrix)
- Correspondence

Material to be added to a Mini-Jacket (in the case where an e-Jacket exists)

Reg. No. SLN WAF 010023

Send to SIG: check box ☐

This material is:

€ New stamped-accepted label

€ New CSF

€ Notification

€ Final Printed Label

€ Other: _____

Instructions: Attach this notice on top of the material. It must be clipped all together and there should be NO STAPLES in the material. Then give the material with this coversheet to staff in the Information Services Center (Room 230).

Reviewer's Name: Stokes

Phone: _____ Division: SRRD

Date: _____ 5/29/08

Date: April 17, 2008

Reg. No.: 073637-005

SLN Nos.: ID010015

OR010022

OR010023

WA010021

WA010023

WA020003

Product Name: RO-NEET 6-E Selective Herbicide

PM Name/Number: Jim Tompkins, PM 25

Primary Reviewer: Judy Loranger (Signed/JL/5/27/08)

Secondary Reviewer: Larry Schnaubelt (2nd/LS/5/23/08)

New label or date of RD amended label: New, no received date appears on Section 3 label.

Formulation Type: Emulsifiable Concentrate

Active Ingredient Assessed: Cycloate/041301

Other ai's in product

Name/PC code:

N/A

Reregistration Status or Registration Date:

N/A

Note to PM: This assessment includes the parent product 73637-5 and 6 SLNs (ID010015, OR010022, OR010023, WA010021, WA010023, and WA020003).

Assessment can be found Q:\prb\label\073637/005

Comments on the Section 3 parent product:

1) A footnote must be added to the ingredient statement that states that this product "Contains hydrocarbon solvent" as noted on Page 2 of the label.

2) The "IF SWALLOWED" statements appearing in the First Aid section must be revised to read:

"Immediately call a poison control center or doctor.

Do not induce vomiting unless told to by a poison control center or doctor.

Do not give any liquid to the person.

Do not give anything by mouth to an unconscious person."

Based on toxicity ranking per the acute toxicity review, the First Aid statements should be placed on the label in the following order:

“IF SWALLOWED:…
IF ON SKIN OR CLOTHING:…
IF IN EYES:…
IF INHALED:…”

3) Per the acute toxicity review, the text “May pose an aspiration pneumonia hazard” must be added to the Note to Physician currently on the label.

4) Per the acute toxicity review, the Hazards to Humans and Domestic Animals must be revised to read:

“CAUTION
Harmful if swallowed. Causes moderate eye irritation. Avoid contact with eyes, skin, or clothing.”

5) Per the acute toxicity review and the RED, the first sentence in the PPE section must be revised to read:

“Some materials that are chemical-resistant to this product **are made of barrier laminate, nitrile rubber, neoprene rubber, or viton.** If you want more options, follow the instructions for category E on an EPA chemical-resistance category selection chart.”

6) Per the RED, the last sentence in the Environmental Hazard statements must be revised to read “Do not contaminate water when disposing of equipment wash water **or rinsate.**”

7) Two typographical errors need to be corrected in the Agricultural Use Requirements box:

- Revise “ll” to read “all” in the 5th bullet under the heading Special Early Entry Exceptions.

-Revise “rpoviding” to read “providing” in the last sentence in the Agricultural Use Requirements box.

8) Per the product chemistry review, the following revisions are needed to the storage and disposal section of the label:

Revise the heading “Container Disposal” to read “Container Handling.”

Add the text “Refillable container. Refill this container with pesticide only. Do not reuse this container for any other purpose” under the Container Handling section.

Remove the text “Open dumping is prohibited” from this section of the label.

9) Per the RED, the following text must be added to use directions for dry bulk fertilizer:

"Impregnation of dry bulk fertilizer is permitted in commercial settings only. On-farm impregnation of dry bulk fertilizer is prohibited. All persons involved in the impregnation process are considered pesticide handlers and must wear the handler personal protective equipment and follow the engineering control requirements specified on this labeling. If at any time during the impregnation process, including loading of the impregnated fertilizer into the trucks for transporting, the system does not provide inhalation protection equivalent to an organic-vapor removing respirator, all persons, at the impregnation site must wear the respirator required on this labeling for handlers."

Although the label references "Appendix I and II" for special instructions for impregnation and use, Appendix 1 and II are missing from the label. This text must be submitted for review.

Comments on the SLNs:

OR010022, OR010023, WA010021, WA010023 and WA020003:

Per the RED, the reentry section must be revised to read as specified below.

"Entry (including early entry that would otherwise be permitted under the WPS) by any person – other than a correctly trained and equipped handler who is performing a handling task permitted by the WPS -- is PROHIBITED for 48 hours following application. Do not allow entry by unprotected persons into the treated area until 48-hour period is expired and the warning signs are removed."

"NOTIFICATION: Before the start of the application, notify workers of the application by warning them orally and by posting warning signs at entrances to the treated area. The signs must bear the skull and crossbones symbol and state: (1) "DANGER/PELIGRO," (2) "DO NOT ENTER/NO ENTRE," (3) the date and time of treatment, (4) "Cycloate {or use other brand name} in use," and (5) name, address, and telephone number of the applicator. Post the warning sign instead of the WPS sign for this application, but follow all WPS requirements pertaining to location, legibility, size, and timing of posting and removal."

"Special Early Entry Exception: Workers may enter the treated area during the first 48 hours following application to plant crops, provided all of the following conditions are met:

- (1) The special early entry workers must use motorized ground equipment that is equipped with an enclosed cab that meets the definition in the Worker Protection Standard for Agricultural Pesticides [40 CFR 170.240(d)(5)] for dermal protection. In addition, these workers must:
 - Wear the personal protective equipment required in the PPE section of this labeling for applicators,

– *Either* wear the type of respirator specified in the PPE section of this labeling *or* use an enclosed cab with a properly functioning ventilation system that is used and maintained according to the manufacturer's written operating instructions and that is declared in writing by the manufacturer or by a government agency to provide at least as much respiratory protection as the type of respirator specified in the PPE section of this labeling,

– Be provided and have immediately available for use in an emergency when they must exit the cab in the treated area: chemical-resistant gloves, and, if using an enclosed cab that provides respiratory protection, a respirator of the type specified in the PPE section of this labeling,

– Take off any PPE that was worn in the treated area before reentering the cab, and

– Store all such PPE in a chemical-resistant container, such as a plastic bag, to prevent contamination of the inside of the cab.

(2) Employers of the special early entry workers must make sure that these workers:

– Have received training equivalent to WPS pesticide handler training before entering the treated area,

– Are provided with the specified type of respirator, and the respirator fits them correctly and is maintained as required in the WPS for handlers, and

– Are provided all of the WPS protections for early entry workers, including PPE instructions, labeling information and instructions, decontamination sites, and duties related to providing, cleaning, and maintaining the PPE for early-entry workers.”

TRI AG, INC.

REGISTRATION FOR SPECIAL LOCAL NEED FOR DISTRIBUTION AND USE ONLY WITHIN THE STATE OF WASHINGTON

RO-NEET® 6-E

EPA Reg. No. 73637-5

EPA SLN No. WA-010023

DIRECTIONS FOR USE

- It is a violation of Federal law to use this product in a manner inconsistent with its labeling.
- This labeling must be in the possession of the user at the time of application.
- Follow all applicable directions, restrictions, Worker Protection Standard requirements, and precautions on the EPA-registered label.

SUGAR BEETS: Postemergence (After The First True Leaves Have Formed) - After thinning and clean cultivation apply ½ gallon of RO-NEET 6-E (3 lbs. ai) in a minimum of 10 gallons of water per acre and incorporate to a depth of 2 to 3 inches. Apply as a surface broadcast application with ground application equipment.

or

Apply ½ gallon of RO-NEET 6-E (3 lbs. ai) in a minimum of 10 gallons of water per acre and sprinkler incorporate to a depth of 3 to 4 inches. Apply as a surface broadcast application with ground application equipment.

Incorporation must occur immediately after application. For a list of weeds controlled refer to the EPA-registered RO-NEET 6-E label.

RESTRICTIONS / PRECATUIONS:

- The restricted entry interval (REI) for RO-NEET 6-E is 48 hours. Do not allow entry by unprotected persons into the treated area during the REI.
- Make only one (1) application per growing season.
- Do not apply after July 1.
- Do not tank-mix with Betamix.
- For use under this SLN label do not apply this product through any type of irrigation system.

WSDA CONTAINER DISPOSAL GUIDANCE:

Pesticide containers must be properly cleaned prior to disposal. The best time to clean empty pesticide containers is during mixing and loading, because residue can be difficult to remove after it dries. Triple rinse (or pressure rinse) the pesticide container, empty all pesticide rinse water into the spray tank, and apply to a labeled crop or site. Recycling cleaned containers is the best method of container disposal. Information regarding the recycling of empty and cleaned plastic pesticide containers in Washington is available on the WSDA Waste Pesticide Program web site at <http://agr.wa.gov/PestFert/Pesticides/WastePesticide.htm>. Cleaned containers may also be disposed of in a sanitary landfill, if permitted by the county. Burning is not a legal method of container disposal in Washington.

This label for RO-NEET 6-E expires and must not be distributed or used in accordance with this SLN registration after December 31, 2013.

**CONDITIONS OF SALE
AND LIMITATION OF WARRANTY AND LIABILITY**

NOTICE: Read the entire Directions for Use and Conditions of Sale and Limitation of Warranty and Liability before buying or using this product. If the terms are not acceptable, return the product at once, unopened, and the purchase price will be refunded.

The Directions for Use of this product should be followed carefully. It is impossible to eliminate all risks inherently associated with the use of this product. Crop injury, ineffectiveness or other unintended consequences may result because of such factors as manner of use or application, weather or crop conditions, presence of other materials or other influencing factors in the use of the product, which are beyond the control of TRI AG or Seller. All such risks shall be assumed by Buyer and User, and Buyer and User agree to hold TRI AG and Seller harmless for any claims relating to such factors.

TRI AG warrants that this product conforms to the chemical description on the label and is reasonably fit for the purposes stated in the Directions for Use, subject to the inherent risks referred to above, when used in accordance with directions under normal use conditions. This warranty does not extend to the use of this product contrary to label instructions, or under abnormal conditions or under conditions not reasonably foreseeable to or beyond the control of Seller or TRI AG, and Buyer and User assume the risk of any such use. TRI AG MAKES NO WARRANTIES OF MERCHANTABILITY OR OF FITNESS FOR A PARTICULAR PURPOSE NOR ANY OTHER EXPRESS OR IMPLIED WARRANTY EXCEPT AS STATED ABOVE.

In no event shall TRI AG or Seller be liable for any incidental, consequential or special damages resulting from the use or handling of this product. THE EXCLUSIVE REMEDY OF THE USER OR BUYER, AND THE EXCLUSIVE LIABILITY OF TRI AG AND SELLER FOR ANY AND ALL CLAIMS, LOSSES, INJURIES OR DAMAGES (INCLUDING CLAIMS BASED ON BREACH OF WARRANTY, CONTRACT, NEGLIGENCE, TORT, STRICT LIABILITY OR OTHERWISE) RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT, SHALL BE THE RETURN OF THE PURCHASE PRICE OF THE PRODUCT OR, AT THE ELECTION OF TRI AG OR SELLER, THE REPLACEMENT OF THE PRODUCT.

TRI AG and Seller offer this product, and Buyer and User accept it, subject to the foregoing conditions of sale and limitations of warranty and of liability, which may not be modified except by written agreement signed by a duly authorized representative of TRI AG.

RO-NEET 6-E is a trademark of Helm Agro US, Inc.

24(c) Registrant:

TRI AG, INC.

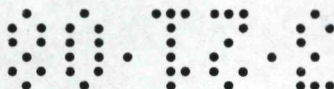
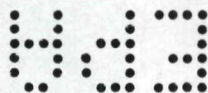
c/o Helm Agro US, Inc. / Agent

8295 Tournament Drive, Suite 310

Memphis, Tennessee 38125

EPA SLN NO: WA-010023

Label Rev. 02/28/08





"Brenda Dowdy" <bdowdy@helmagro.com>

03/20/2008 05:52 PM

Please respond to
"Brenda Dowdy"
<bdowdy@helmagro.com>

To Julia Stokes/DC/USEPA/US@EPA

cc <bertvolger@comcast.net>

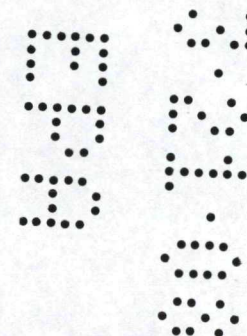
bcc

Subject Helm Agro US SLN Registrations

Per your request of Bert Volger, please find SLNs attached. Sending both the TRI SLN and the Helm SLN.

ID010015	SLN of 73637-5	
OR010022	SLN of 73637-5	
OR010023	SLN of 73637-5	
WA010021	SLN of 73637-5	
WA010022 the EPA	SLN of 73637-5	Canceled with the state and
WA010023	SLN of 73637-5	
WA020003	SLN of 73637-5	
MI050005	SLN of 73637-5	Added to your list.

Regards,
Brenda Dowdy
Helm Agro US, Inc.
8295 Tournament Drive., Suite 310
Memphis, TN 38125
901/312-1525





Idaho SLN HAI.pdf Idaho SLN TriAg .wpd OR SLN HAI 010023 till 2011.pdf OR SLN HAI 010022 till 2011.pdf OR SLN TriAg 010023 till 2011.pdf OR SLN TriAg 010022 till 2011.wpd



Washington SLN TriAg 020003 - 02-26-2008.doc Washington SLN HAI 010021c - 02-26-2008.pdf Washington SLN HAI 010023c - 02-28-2008.pdf



Washington SLN HAI 020003c - 02-26-2008.pdf Washington SLN TriAg 010021 - 02-26-2008.doc Washington SLN TriAg 010023 - 02-28-2008.doc



MI SLN HAI MI-050005 Final 5-24-07.pdf

